

## PETER W. GRAY.

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The subject of this memoir was born in Fredricksburg, Virginia, in the year 1819. His father, William Fairfax Gray, removed his family to Texas while his son Peter was but a mere youth, and served as clerk of the House of Representatives of the Republic in 1837. He was subsequently district attorney, and held that office at the time of his death in Houston, in 1841.

Peter W. Gray was chiefly reared and educated in Houston, studied law in the office of his father, and succeeded him as district attorney. In 1846 he was a member of the first Legislature of the State, and his services in that body were distinguished for the highest efficiency. He was the chief author of the practice act, which eliminated and excerpted from the mutually repugnant systems of the civil and common law the clear and well defined method of reaching the merits of a case, which led to the present excellent systems of pleading and practice in the Texas courts.

He was soon afterwards appointed judge of the Houston district, and so learned, impartial and just was the manner in which he performed his judicial duties, that he was characterized by Chief Justice Roberts as "the very best district judge that ever sat upon the Texas bench."

As a lawyer Judge Gray attained early in life a high standing at the bar, and was distinguished for his astuteness and vigor, and for his solid professional accomplishments. His knowledge of the law was profound, and he was proficient and practical in the application of principles. His mind was highly analytical, and he was expert in eliminating truth from the speciousness of circumstances. Subsidiary to this, his love of justice and abhorrence of wrong

prompted his best exertions in the establishment of legal right and equitable principle. He was ardent in his devotion to duty and conscientious in his professional dealings, which engaged the confidence of his clients and the esteem of the people. He was thoroughly familiar with Texas jurisprudence, and his knowledge of the statute law and of the import and reason of the decisions of the Supreme Court, made him a safe counselor and a successful lawyer.

These qualities, enhanced by his habits of self-reliance and independence of thought, responded to the requirements of an eminent judge and attained for him the distinction upon the bench so generously canonized by the eulogy of the chief justice.

During the war, Judge Gray represented the Houston district in the Confederate Congress, and was a staunch supporter of every measure for strengthening the arms and promoting the interest of the Confederacy. When hostilities ceased he returned to Houston and resumed his practice, endeavoring by his example and counsel to re-establish the order of peaceful pursuits and ameliorate the condition of his people.

In February, 1874, he was appointed an associate justice of the Supreme Court, to fill a vacancy occasioned by the resignation of Judge W. P. Ballinger, who had been but recently promoted to the bench, and, though in feeble and declining health, he responded to the call for his services and entered upon the discharge of his judicial duties. But soon finding that he was physically unable to perform the functions of his high office, and being unwilling to leave the court with an even number, which might embarrass the course of justice, while he sought to repair his health in retirement, he resigned his seat on the 18th of April, having held the position but two months, and, retiring to his home in Houston, died on the 3d of October, 1874.